

ORDINANCE NO. 89

AN ORDINANCE PROVIDING FOR DEDICATION TO THE SAFETY NET CARE POOL FUND; ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the State of New Mexico has mandated that a County shall, by Ordinance to be effective July 1, 2014, dedicate to the Safety Net Care Pool fund an amount equal to a Gross Receipts Tax rate of one-twelfth (1/12) percent applied to the taxable gross receipts reported during the prior fiscal year by persons engaging in business in the County; and,

WHEREAS, the State of New Mexico has further mandated that the county transfer to the Safety Net Care Pool fund by the last day of March, June, September, and December of each year an amount equal to one-fourth (1/4) of the County's payment to the Safety Net Care Pool fund; and,

WHEREAS, the Board of County Commissioners of Luna County, New Mexico desires to adopt an Ordinance in compliance with New Mexico Senate Bill 268; and,

WHEREAS, the County of Luna has previously enacted a gross receipts tax of one-eighth percent (1/8) for continued provision of healthcare; and

WHEREAS, New Mexico Senate Bill 268 provides a mechanism whereby a percentage of a gross receipts tax can be utilized for the continued provision of healthcare; and,

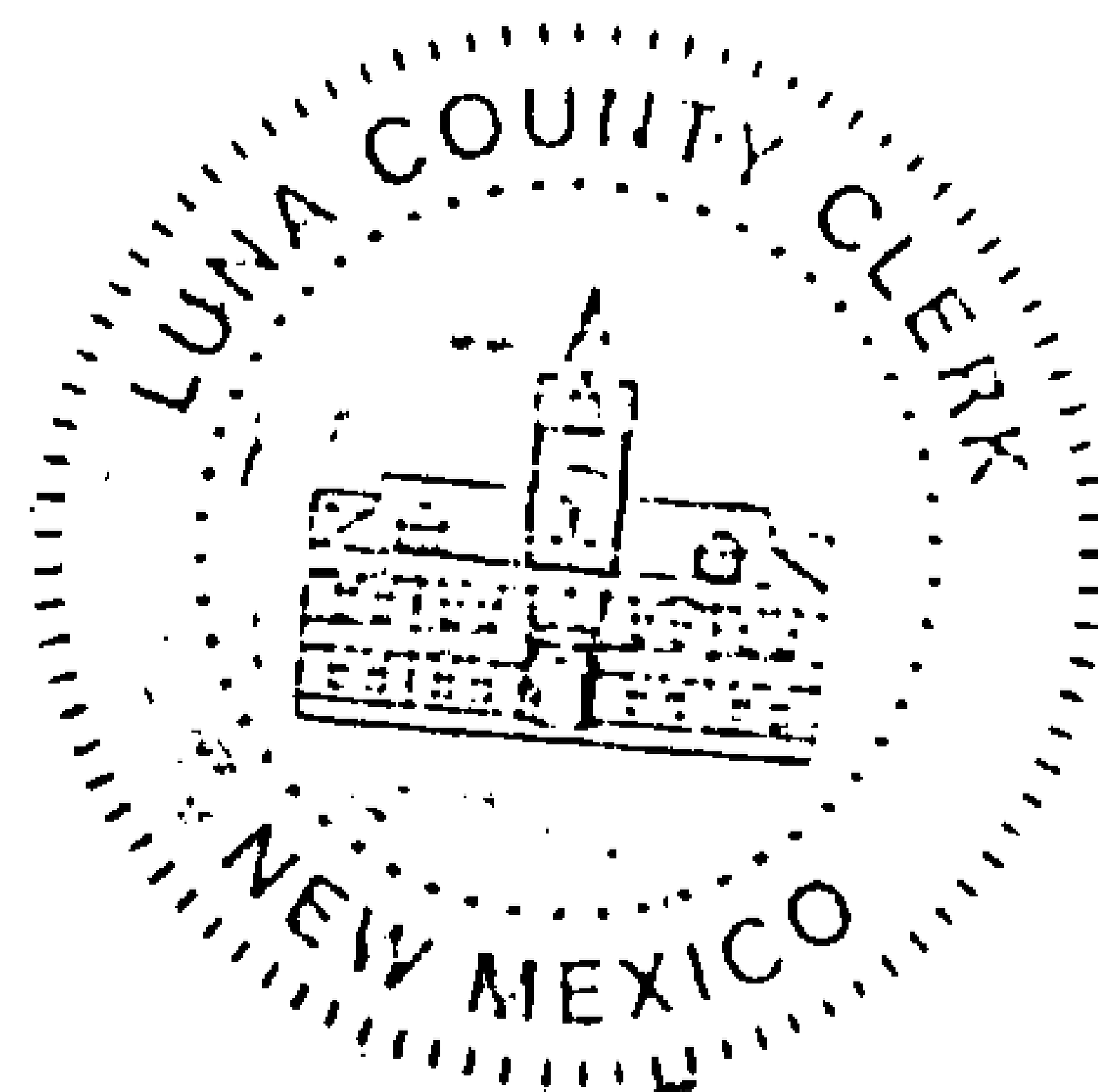
WHEREAS, the Board of County Commissioners of Luna County, New Mexico finds that this Ordinance is necessary to provide for the safety, preserve the health and welfare of the County of Luna or its inhabitants.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LUNA, NEW MEXICO THAT THE COUNTY OF LUNA DEDICATE A PORTION OF ITS GROSS RECEIPTS PROCEEDS, AN AMOUNT EQUAL TO A GROSS RECEIPTS TAX RATE OF ONE TWELFTH (1/12) PERCENT AS FOLLOWS:

**SECTION I
SHORT TITLE**

This Ordinance shall be known as the "Safety Net Care Pool Fund Ordinance," and shall be referred to herein as "this Ordinance."

LUNA COUNTY-NM
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BY MDUARTE



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BY MDUARTE

SECTION II AUTHORITY

This Ordinance is enacted pursuant to the statutory mandate that a County shall, by Ordinance to be effective July 1, 2014, dedicate to the Safety Net Care Pool fund an amount equal to a Gross Receipts Tax rate of one-twelfth (1/12) percent applied to the taxable gross receipts reported during the prior fiscal year by persons engaging in business in the County.

SECTION III

3.1 DEDICATION TO SAFETY NET CARE POOL FUND

Effective July 1, 2014, the Board of County Commissioners hereby dedicates to the Safety Net Care Pool fund, from existing Gross Receipts Tax proceeds imposed pursuant to the Hospital Funding Act § 4-48B-12 NMSA 1978 an amount equal to a Gross Receipts Tax rate of one-twelfth (1/12) percent applied to the taxable gross receipts reported during the prior fiscal year by persons engaging in business in the county.

3.2 TRANSFER TO SAFETY NET CARE POOL FUND

Effective July 1, 2014, the Board of County Commissioners hereby directs the transfer to the Safety Net Care Pool fund by the last day of March, June, September and December of each year an amount equal to one-fourth (1/4) of the county's annual payment to the Safety Net Care Pool fund. The starting date of the first quarterly payment is September 30, 2014 and the subsequent quarterly payments will be due on the last day of the month of the above stated months.

SECTION IV SEVERABILITY

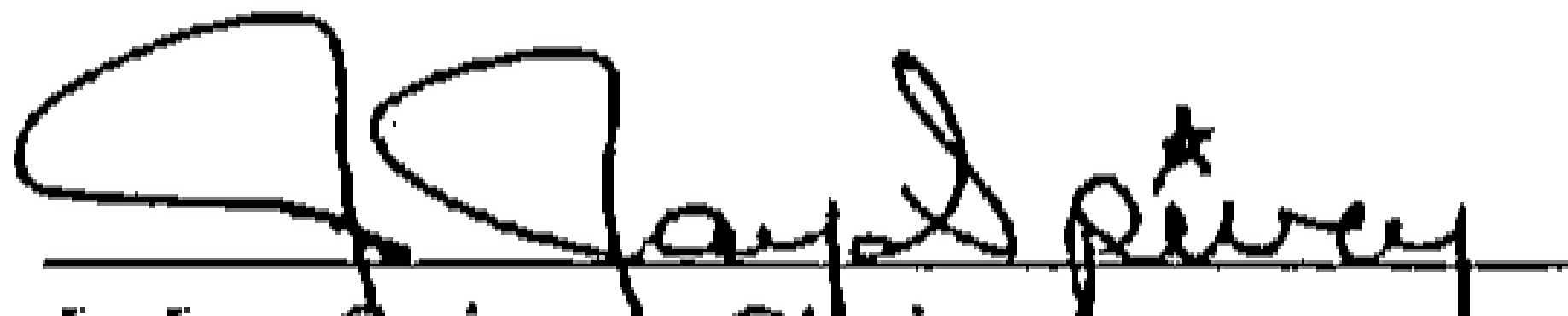
If any article, section, subsection, paragraph, sentence, clause, phrase, provision or portion of any article, section subsection, paragraph, sentence, clause, phrase or provision in this Ordinance is, for any reason, held to be unconstitutional, invalid or void, the remaining portion shall not be affected since it is the express intention of the County of Luna Board of Commissioners to pass such article, section, subsection, paragraph, sentence, clause, phrase or provision and every part thereof separately and independently from every other part.

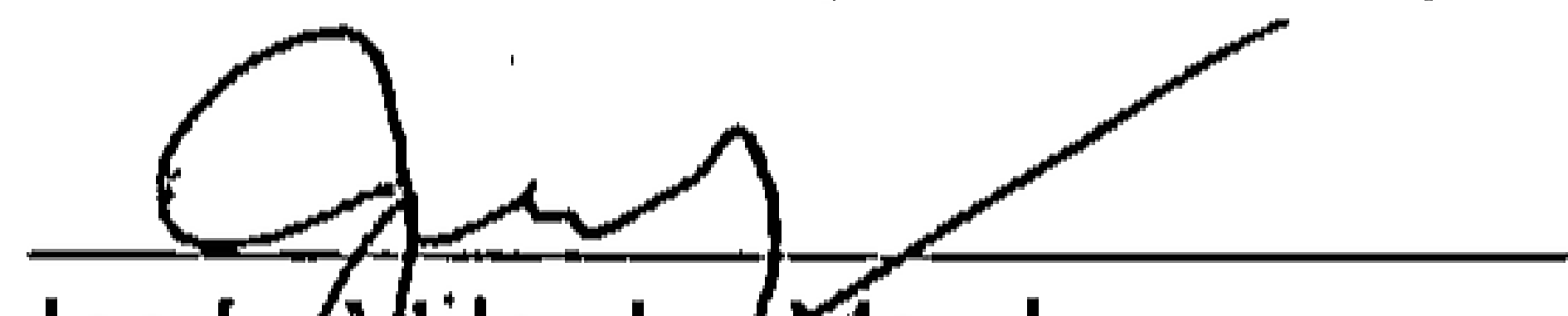
SECTION V EFFECTIVE DATE

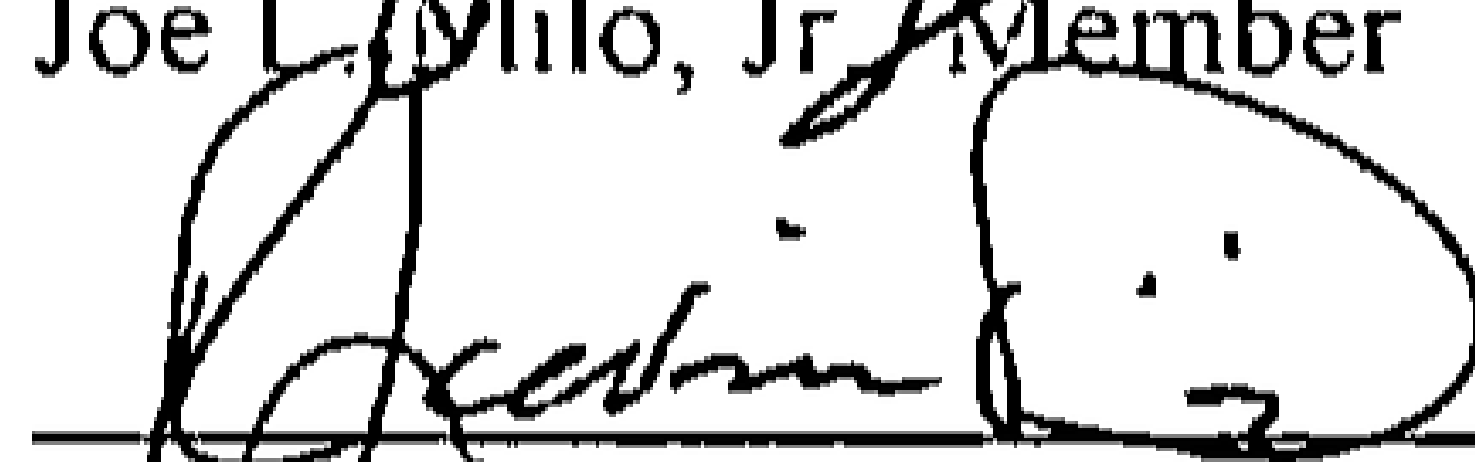
This Ordinance shall be recorded and authenticated by the Luna County Clerk following adoption by the County of Luna Board of Commissioners. The effective date of this Ordinance shall be July 1, 2014.

PASSED, APPROVED and ADOPTED this 12th of June, 2014.

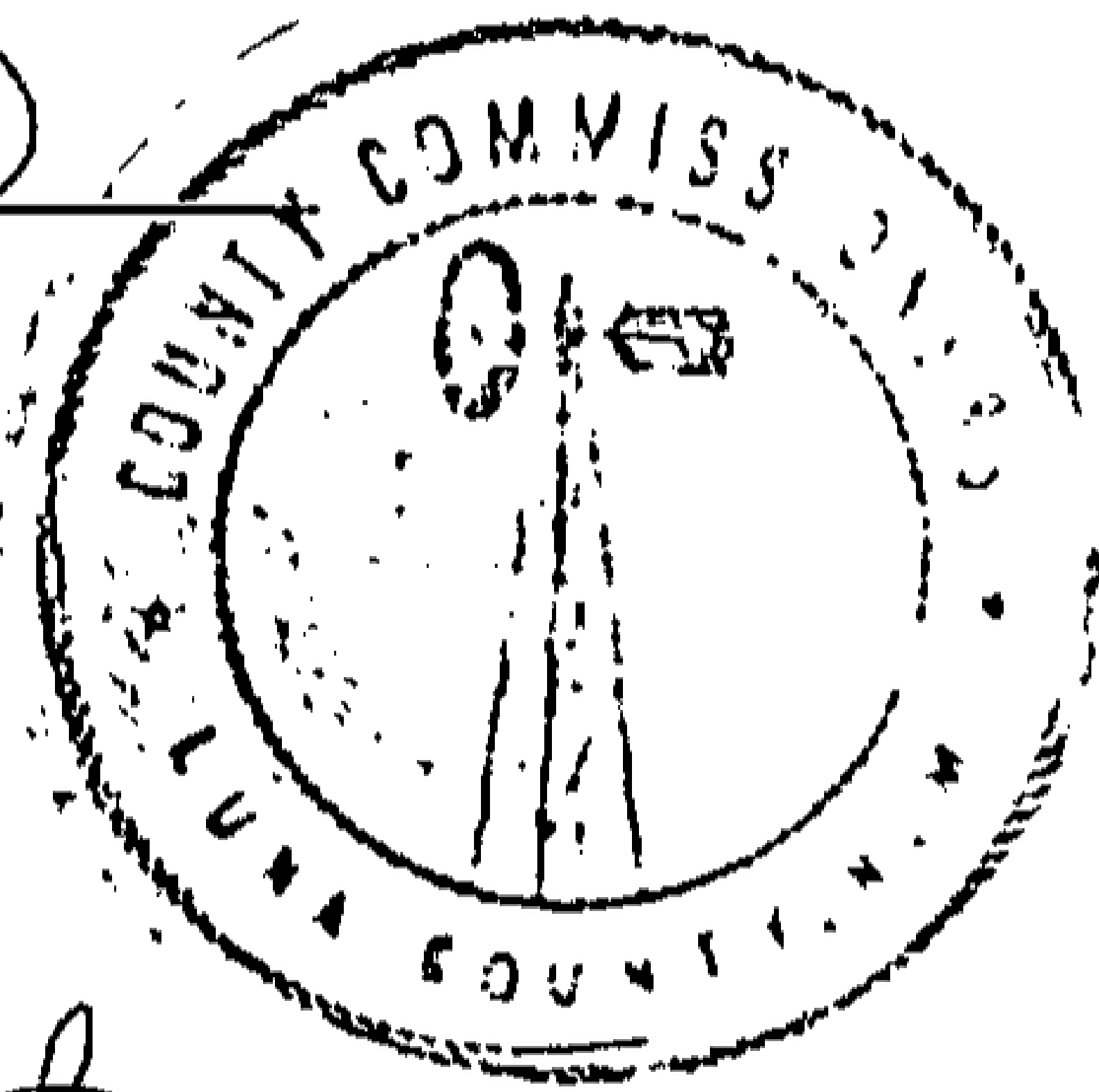
BOARD OF COUNTY COMMISSIONERS
OF LUNA COUNTY, NEW MEXICO


J. Jay Spivey, Chairman

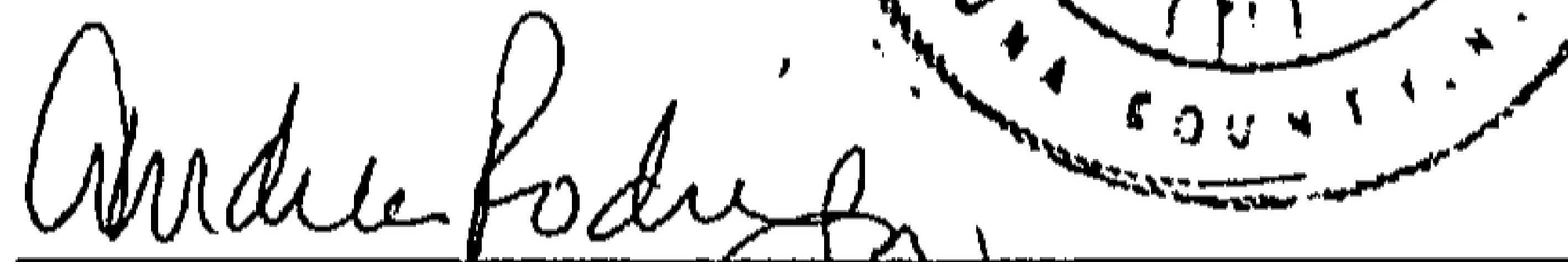

Joe L. Milo, Jr., Member


R. Javier Diaz, Member

LUNA COUNTY-NM
ANDREA RODRIGUEZ, CLERK
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Attest:


Andrea Rodriguez, Luna County Clerk